

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

U.S. Bank Trust, N.A., as Trustee for  
LSF10 Master Participation Trust

Plaintiff

vs.

Civil Action 2:20-cv-140-LEW

Richard A. Welch

Defendant

21<sup>st</sup> Mortgage Corporation

Party-In-Interest

**JUDGMENT OF FORECLOSURE AND SALE**

Address: 17-19 Goodrich Street, Kittery, ME 03904  
Mortgage: August 3, 2005, Book: 14598, Page: 365  
(Property is vacant)

This matter came before the Court pursuant to the Default entered on July 14, 2020, against Party-in-Interest, 21st Mortgage Corporation [ECF 8], and pursuant to the Default entered on August 24, 2020, against the Defendant, Richard A. Welch [ECF 10], Fed.R.Civ. P.55(b), this Court's Procedural Order dated October 1, 2020 [ECF 14], and the General Orders in response to the recent outbreak of Coronavirus Disease 2019 (COVID-19) in accordance with the *Pandemic/Infectious Disease Plan for the United States District Court for the District of Maine*. (March 2020).

Plaintiff, U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust ("U.S. Bank"), was represented by John A. Doonan, Esq. The Defendant and Party-in-

Interest have not appeared or opposed Plaintiff's Motion for Default Judgment of Foreclosure and Sale.

All persons interested having been duly notified in accordance with the law, and after consideration of the Affidavits with supporting documentary evidence and Memorandum of Law in Support of Plaintiff's Motion for Default Judgment on Documentary Evidence, the Plaintiff's Motion for Default Judgment of Foreclosure and Sale is **GRANTED**.

**JUDGMENT** on Count I – Foreclosure and Sale is hereby **ENTERED** as follows:

1. If the Defendant, his heirs or assigns pay U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust ("U.S. Bank") the amount adjudged due and owing as of November 1, 2020 (attorney's fees and deficiency are waived) (\$270,372.63) within 90 days of the date of the Judgment, as that time period is calculated in accordance with 14 M.R.S. § 6322, U.S. Bank shall forthwith discharge the Mortgage and file a dismissal of this action on the ECF Docket.

The following is a breakdown of the amount due and owing:

Description	Amount
Principal Balance	\$163,186.14
Interest	\$50,587.66
Escrow Balance	\$25,076.43
Total Advances	\$31,522.40
<b>Grand Total</b>	<b>\$270,372.63</b>

2. If the Defendant, his heirs or assigns do not pay U.S. Bank the amount adjudged due and owing (\$270,372.63) within 90 days of the Judgment, as that

time period is calculated in accordance with 14 M.R.S. § 6322, their remaining rights to possession of the Kittery Property shall terminate, and U.S. Bank shall conduct a public sale of the Kittery Property in accordance with 14 M.R.S. § 6323, disbursing the proceeds, first to itself in the amount of \$270,372.63 after deducting the expenses of the sale, with any surplus to be disbursed pursuant to Paragraph 5 of this Judgment, and in accordance with 14 M.R.S. § 6324. U.S. Bank may not seek a deficiency judgment against the Defendant pursuant to the Plaintiff's waiver of deficiency in its Motion.

3. Pursuant to 14 M.R.S. § 2401(3)(F), the Clerk, if requested, shall sign a certification after the appeal period has expired, certifying that the applicable period has expired without action or that the final judgment has been entered following appeal
4. The amount due and owing is \$270,372.63 as of November 1, 2020.
5. The priority of interests is as follows:
  - U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust has first priority, in the amount of \$270,372.63, pursuant to the subject Note and Mortgage.
  - 21<sup>st</sup> Mortgage Corporation who has been defaulted.
  - Richard A. Welch who has been defaulted.
6. The pre-judgment interest rate is 6%, see 14 M.R.S. § 1602-B, and the post-judgment interest rate is 8.59%, see 14 M.R.S. § 1602-C.
7. The following information is included in this Judgment pursuant to 14 M.R.S.

§ 2401(3):

	PARTIES	COUNSEL
PLAINTIFF	U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust 425 Walnut Street Cincinnati, OH 45205	John A. Doonan, Esq. Reneau J. Longoria, Esq. Doonan, Graves & Longoria, LLC 100 Cummings Center Suite 225D Beverly, MA 01915
DEFENDANT	Richard A. Welch 19 Woburn Abbey Drive Bedford, NH 03110	Defaulted Pro Se
PARTIES-IN- INTEREST	21st Mortgage Corporation 620 Market Street Knoxville, TN 37902	Defaulted Pro Se

- a) The docket number of this case is 2:20-cv-00140-LEW.
- b) All parties to these proceedings received notice of the proceedings in accordance with the applicable provisions of the Federal Rules of Civil Procedure.
- c) A description of the real estate involved, 17-19 Goodrich Street, Kittery, ME 03904, is set forth in Exhibit A to the Judgment herein.
- d) The street address of the real estate involved is 17-19 Goodrich Street, Kittery, ME 03904. The Mortgage was executed by the Defendant, Richard A. Welch, on August 3, 2005. The book and page number of the Mortgage in the York County Registry of Deeds is **Book 14598, Page 365**.
- e) This Judgment shall not create any personal liability on the part of the Defendant

but shall act solely as an *in rem* judgment against the property, 17-19 Goodrich Street, Kittery, ME 03904.

**SO ORDERED**

Dated this 11th day of December, 2020.

/s/ Lance E. Walker  
UNITED STATES DISTRICT JUDGE